

**IN THE COURT OF SESSIONS JUDGE, SPECIAL COURT FOR
SC/ST (PoA) ACT, PERAMBALUR.**

**Present: Thiru.S.GIRI, B.Sc.,M.L.,
(FAC) Sessions Judge,
Special Court for SC/ST (PoA) Act,
Perambalur.**

Monday, this the 21st day of December, 2020.

E.Bail No.958/2020.

1. Abinesh-(A1), (Aged 19/2020),
S/o. Rajendran.
2. Silambarasan-(A2) (Aged 21/2020),
S/o. Narayanasamy.
3. Selvakumar-(A3) (Aged 21/2020),
S/o. Sellamuthu.

... Petitioners/Accused.

-vs-

The State Represented by it's
Deputy Superintendent of Police,
Perambalur.

Maruvathur Police Station,

Crime No.1138/2020.

Offences u/Ss.147, 294(b), 323, 506(i) IPC r/w Sec.3(1)(r),3(1)(s), 3(1)(j),3(2) (va)
of SC/ST (PoA) Amendment Act – 2015.

... Respondent/Complainant.

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This petition coming on this day before me for order in the form of E-bail by Thiruvallargal. S.Sathish and C.Kannusamy, Advocates for the petitioners and of the Special Public Prosecutor for the State and upon perusing the petition and other relevant records, this Court has delivered the following...

ORDER

This petition has been filed U/s 439 of Cr.P.C. for grant of bail to the petitioners for the offences u/Ss.147, 294(b), 323, 506(i) IPC r/w Sec.3(1)(r),3(1)(s), 3(1)(j),3(2) (va) of SC/ST (PoA) Amendment Act – 2015.

2. Perused the petition, copy of FIR and Police reply submitted by the learned Special Public Prosecutor and other connected records. The petitioners were arrested and remanded to Judicial custody on 11.12.2020 and that they are in Judicial custody for the past 11 days.

3. The learned Counsel for the petitioners/accused submitted that the alleged date of occurrence was on 11.12.2020 and that the petitioners are innocent

persons and that the petitioners/accused were falsely implicated in this case and that the petitioners/accused are having permanent resident and who not habitual offender and that they have not committed any such offences and that they have not moved any bail application before the Hon'ble High Court of Madras and that if they are released on bail, they will not abscond or evade trial and they will not tamper any witness and therefore, prays for release on bail with any conditions.

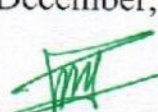
4. The learned Special Public Prosecutor stated in his reply that the investigation is still pending. Community certificate yet to be received from accused/complainant. If bail is granted, law and order problem likely to occur in the area and strongly objected for granting bail.

5. The defacto complainant present and stated that if bail is granted, the petitioners will threaten to withdraw the case and tamper the witness and hamper the investigation and strongly objected.

6. On perusal of the records, the occurrence took place on 11.12.2020 and the petitioners were arrested on the same day. The petitioners Counsel argued that the petitioners are no way connected and falsely implicated. The learned Special Public Prosecutor argued that the investigation is not yet completed and if bail is granted, communal clash will be arose in the area and strongly objected for granting bail. The custodial interrogation period is not yet completed. Considering the nature of offence and strong objections of the learned Special Public Prosecutor and the defacto complainant, this Court is not inclined to grant bail at this stage and the petition is dismissed.

7. In the result, the petition is dismissed.

Pronounced by me through E-bail, this the 21st day of December, 2020.


Sessions Judge,
(FAC) Special Court for SC/ST (PoA) Act,
Perambalur.